

REMARKS

Claims 1-10 and 12-14 are pending in this application. By this Amendment, claims 1 and 9 are amended. Support for the amendments to claims 1 and 9 may be found at least at page 6, lines 3-22 of Applicant's specification. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Applicant appreciates the courtesies shown to Applicant's representative by Examiners Ekpo and Pendleton during the April 28 personal interview. Applicant's separate record of the substance of the personal interview is incorporated into the following remarks.

The Office Action, on page 2, rejects claims 1-4, 6-10, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,076,202 to Billmaier in view of U.S. Patent No. 7,333,092 to Zadesky et al. (hereinafter "Zadesky"). The Office Action, on page 6, rejects claims 5 and 14 under 35 U.S.C. §103(a) as being unpatentable over Billmaier in view of Zadesky and further in view of U.S. Patent No. 6,278,443 to Amro et al. (hereinafter "Amro"). These rejections are respectfully traversed.

Claim 1 recites, among other features, a scroll control unit for scrolling the display of the display area based on a positional relation between the specification point detected by the specification point detection unit and a predetermined point that is not the end point of a scroll on the display screen. Claim 9 recites similar features.

The Office Action asserts that the combination of Zadesky with Billmaier would have rendered obvious the combinations of all the features recited in at least independent claims 1 and 9. Billmaier is directed to an electric program guide for a radio (radio EPG) that depicts radio programs available via the internet or analog transmission (Abstract). The Office Action asserts that Billmaier teaches many of the features recited in at least independent claims 1 and 9. The Office Action concedes that Billmaier fails to teach that the scroll unit

changes a scroll amount based on a distance from the predetermined point to the specification point, and changes a scroll direction based on a direction of the specification point with respect to the predetermined point when the display is scrolled from a first portion of the data to a second portion of the data, the second portion being different from the first portion. Rather, the Office Action relies Zadesky, in its disclosure of a touchpad for a handheld device, to make up for this shortfall.

Zadesky is directed to a media device for storing and playing media such as audio, video or images, including a memory device configured to store a plurality of media items in a digital format (Abstract). The Office Action asserts that Zadesky, at col. 7, lines 22-61, col. 12, lines 21-38 and col. 14, lines 11-14 teaches features that can be considered to correspond to the claimed scroll control unit that changes a scroll amount based on a distance from the predetermined point to the specification point, and changes a scroll direction based on a direction of the specification point with respect to the predetermined point when the display is scrolled from a first portion of the data to a second portion of the data. The Office Action asserts that it would have been obvious to one of ordinary skill to have combined Zadesky with Billmaier for the advantage of providing an intuitive way to scroll on a display screen. The analysis of the Office Action fails for at least the following reason.

Zadesky, fails to teach a scroll unit that changes a scroll amount based on a distance from the predetermined point to the specification point. Rather, Zadesky, at the cited portions above, teaches that a scrolling direction may be varied by scrolling vertically or horizontally based on a direction that a finger moves to control the direction of scrolling. Zadesky further teaches, at col. 12, lines 20-38, that various zones may be positioned at both 2° and 5mm increments such that a sensor may detect and generate a position signal that an object is at a specific angular and radial position on a touchpad 228. When an object is moved between the zones, or over multiple zones, multiple position signals are generated. These multiple

position signals may be used to determine location, direction, speed and acceleration of the object as it is angularly and radially moved across the touchpad 228. Lastly, Zadesky, at col. 14, lines 11-14, teaches that the control object may be a slider bar that may be linearly moved from a first item to a second item on a list, or may be moved through multiple items on a list by scrolling. There is nothing, however, in Zadesky that can be considered to have suggested that the scroll amount may be changed based on a distance from the predetermined point to the specification point. Rather, Zadesky merely teaches that scrolling may be done using a touchpad.

Because Zadesky merely teaches that scrolling may be done using a touchpad, and is silent regarding changing a scroll amount based on a distance from the predetermined point to the specification point, Zadesky cannot reasonably be relied upon in the manner the Office Action suggests.

Applicant's representative made the above arguments traversing the prior art rejections of the Office Action. Examiners Ekpo and Pendleton asserted that it was their position that Zadesky could broadly be applied to the claims and suggested amending claims 1 and 9 to clarify that the predetermined point is not the end point of a scroll. Examiners Pendleton and Ekpo agreed that amending the claims in the manner discussed during the personal interview would overcome the current rejections over Billmaier in view of Zadesky. Applicant, therefore, amends claims 1 and 9 in the manner discussed during the personal interview.

For at least the foregoing reason, no combination of Zadesky with Billmaier would have rendered obvious the combinations of all the features recited in independent claims 1 and 9. Further, and because Amro fails to make up for the above-identified shortfall in Zadesky, no combination of the currently-applied references would have rendered obvious dependent claims 2-8, 10 and 12-14 for at least the dependence of these claims on

independent claims 1 and 9, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-10 and 12-14 under 35 U.S.C. §103(a) over the various combinations of currently-applied references are respectfully requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 and 12-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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